



S/N 09/944985

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

#8  
Response  
5/18/03  
AOJ

Applicant: Arup Bhattacharyya  
Serial No.: 09/944,985  
Filed: August 30, 2001  
Title: SCALABLE FLASH/NV STRUCTURES & DEVICES WITH ENHANCED ENDURANCE

Examiner: Thien Tran  
Group Art Unit: 2811  
Docket: 1303.023US1

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O.Box 1450  
Alexandria, VA 22313-1450

In response to the Restriction Requirement mailed April 8, 2003, Applicant elects, without traverse, an embodiment of Figure 18, which the Examiner indicates corresponds to claims 1-2, 18, 56-57, 73-74 and 84. Applicant thanks the Examiner for the effort taken to list the embodiments and the corresponding claims.

The Examiner identified a number of sub-embodiments for: (a) the tunnel medium; (b) the high K charge blocking and charge storing medium; (c) the injector medium; and (d) nano crystals. With respect to the embodiment of Figure 18, Applicant further elects: (a) a tunnel medium including Al<sub>2</sub>O<sub>3</sub>; (b) a high K charge blocking and charge storing medium containing Al<sub>2</sub>O<sub>3</sub>; (c) an injector medium including SRN; and (d) nano crystals including silicon nano crystals. Applicant believes that the claims corresponding to these sub-embodiments include claims 4, 7, 14, 19, 59, 62-63, 76, 79 and 80.

Thus, Applicant believes elected embodiment and sub-embodiments correspond to claims 1-2, 4, 7, 14, 18-19, 56-57, 59, 62-63, 73-74, 76, 79, 80 and 84. Applicant respectfully requests consideration of these claims.

Applicant believes that claim 1 is generic to the claims. In support of Applicant's position, reference is made to the claims (e.g. claim 6) that depend upon claim 1. These dependent claims include language directed toward the various embodiments identified by the Examiner. Upon the allowance of claim 1 or any other claim that is determined to be generic, Applicant respectfully requests consideration of all of the claim in accordance with 37 CFR 1.141.

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The Examiner is invited to contact Applicant's Representatives at the below-listed telephone number if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

Respectfully submitted,

ARUP BHATTACHARYYA

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
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Date 5-7-03

By Marvin L Beekman

Marvin L Beekman  
Reg. No. 38,377

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450 on this 7<sup>th</sup> day of May, 2003.

Name Amy Moriarty

Signature Amy Moriarty

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Applicant: Bhattacharyya

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Due Date: May 8, 2003

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Commissioner for Patents

P.O.Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- A return postcard.  
 An A Response to Restriction Requirement (2 Pages).

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

By: M L Beekman  
Atty: Marvin L. Beekman  
Reg. No. 38,377

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Name

Amy Moriarty

Signature

Amy Moriarty

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